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Terms of reference for a market, financial, conceptual and management study of the Hamilton Waterfront Development Request for proposals

Ontario

Ministry of Tourism and Recreation

Ministère du tourisme et des loisirs

77 Bloor Street West
Toronto, Ontario
M7A 2R9

77 rue Bloor ouest
Toronto, Ontario
M7A 2R9

March 28, 1988

The Corporation of the City of Hamilton
71 Main Street
Hamilton, Ontario
L8N 3T4

URBAN MUNICIPAL
MAR 28
GOVERNMENT DOCUMENTS

Attention: Lou Sage

Dear Sir:

This Letter of Agreement sets forth the terms and conditions whereby The Corporation of the City of Hamilton (the "City") and the Ministry of Tourism and Recreation (the "Ministry") shall share the cost of producing the market, financial feasibility, economic impact and management studies of the Hamilton Harbour Project (the "Study"):

1. The City shall, through Booth Aquatic Research Group Inc., retain a consultant to provide the services set out in the final terms of reference, (the "services") to the satisfaction of the Ministry, subject to the following conditions:

a) the City shall, with the approval of the Ministry, establish an intergovernmental task force to advise on all aspects of the Study, composed of the following representatives:

i) 2 from the City;

ii) 1 from the Ministry's St. Catherines office;

iii) 2 from the Federal government;

iv) 1 from the Regional Municipality of Hamilton-Wentworth;

v) 1 from the Hamilton Region Conservation Authority; and

vi) 1 from the Ministry of the Environment.

b) the City shall obtain the prior written approval of the said intergovernmental task force in establishing the final terms of reference for the Study, the selection of the consultant and the terms and conditions of the contract retaining the consultant.

2. In consideration for the provision of the services, the Ministry agrees to pay to the City an amount which is the lesser of 100% of the actual cost of the Study or $100,000.00, inclusive of all fees and disbursements charged by the consultant, but the said amount shall not include amounts charged by Booth Aquatic Research Group Inc. The Ministry agrees to pay the entire amount hereunder within thirty (30) days of the execution of this Letter of Agreement but the City agrees that any unused portion of the said amount shall remain the property of the Ministry and shall be repaid upon demand.

3. The Ministry may, in its sole discretion, provide funding in addition to the amounts granted under paragraph 2, for, inter alia, any public hearing for environmental assessment relating to the study, in such amounts and at such times as the Ministry may deem appropriate but the maximum additional amount payable hereunder shall not exceed $100,000.00.

4. Notwithstanding the payment made by the Ministry under paragraph 2, the City agrees to submit to the Miistry quarterly, a project cost summary, copies of receipted bills or other documentation required to prove payment of expenses for which reimbursement is claimed.

5. The City shall obtain written authorization from the Ministry in the form of a Purchase Order before commencing any services hereunder.

6. The services shall commence upon execution of this Letter of Agreement and issuance of the first purchase order and shall be completed on or before March 31, 1989. If the City complies with all terms and conditions hereunder, this Letter of Agreement may be renewed, at the discretion of the Ministry, upon substantially the same terms and conditions.

7. This Letter of Agreement may be terminated by either party before that time without cause and without liability on thirty (30) days notice in writing. Such termination shall be without prejudice to the rights and remedies of either party existing at the date of termination including, but not limited to, the right of the City to apply the $100,000.00 paid to the City pursuant to paragraph 2 herein against any authorized amounts payable by the City.

8. The City shall submit progress reports to Mr. W. A. Hunter of the Ministry's Tourism Development office, monthly or more often, upon request. Five (5) copies of the final report shall be submitted upon completion of the services.

9. The City grants to the Ministry the non-exclusive, irrevocable right, in perpetuity, to use the results of the services hereunder, and the Ministry agrees to accord credit to the City, where practicable.

10. Pursuant to subsection 17(2) of the Freedom of Information and Protection of Privacy Act, 1987 (the "Act") the City consents to the disclosure of the final report except such portions as the City may expressly identify as being confidential and which otherwise meet the conditions set out in subsection 17(1) of the Act.

11. The City shall treat as confidential, during and after the term of this Agreement, any information concerning the Ministry of which the City acquires knowledge or comes into possession by reason of its services under this Agreement and shall not use or disclose such information, either directly or indirectly, without first obtaining written permission from the Ministry.

12. The City agrees that the Ministry shall not be liable for any injury or damage (including death) to the person or property of any officer, employee or agent of the City, unless the injury, loss or damage is caused by the negligence of an officer or employee of the Ministry while acting within the scope of his or her employment.

13. The City agrees that it shall, at all times, indemnify and save harmless the Ministry, its officers, employees and agents from and against all claims, demands, losses, costs, damages, actions, suits or other proceedings made, sustained, brought or prosecuted that are based upon, or caused in any way by anything done or omitted to be done by the City or any of its officers, directors, employees or agents in connection with services performed, purportedly performed or required to be performed by the City under this Agreement.

14. The City shall maintain comprehensive general liability insurance of at least $500,000.00 per occurrence. The Ministry hereby acknowledges, understands and agrees that the City currently carries liability insurance in excess of $20 million, which insurance is subject to a $1 million Deductible. The City agrees that it shall be solely responsible for payment of the deductible in the event of a claim relating to this Letter of Agreement. If requested by

the Ministry the City shall provide satisfactory proof of such insurance.

15. The City shall not assign this Agreement or retain sub-contractors, except Booth Aquatic Research Group Inc., without the prior written consent of the Ministry, a condition of which shall be that the City obtain such sub-contractors by a competitive bidding process acceptable to the Ministry. No assignment or sub-contract shall relieve the City from the obligations under this Agreement or impose any liability upon Her Majesty or the Ministry to any assignee or sub-contractor.

16. The Ministry shall be entitled, upon 24 hours notice and during normal business hours, to review all results of the services and all related materials and records of the City, during the term of this Agreement and within 6 months of its termination.

17. This Letter of Agreement, including the final terms of reference developed by the intergovernmental task force and the successful consultant's proposal, constitutes the entire agreement between the parties. There are no other agreements, understandings, representations or warranties, either collateral, oral or otherwise.

Would you kindly signify your acceptance of the terms and conditions set out herein by executing both copies of this letter and returning the duplicate to Mr. W.A. Hunter at your earliest convenience.

Yours very truly,

R. L. Brock
Director,
Tourism Development Branch

Agreed:

The Corporation of the City
of Hamilton

per: _____ c/s _____
Mayor Date

_____
Clerk

TERMS OF REFERENCE FOR A MARKET, FINANCIAL, CONCEPTUAL AND MANAGEMENT STUDY OF THE HAMILTON WATERFRONT DEVELOPMENT

REQUEST FOR PROPOSALS

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Attached: - List of Members of the Intergovernment Task Force

1985 Master Plan

Tourism Strategy Study

TERMS OF REFERENCE FOR A MARKET, FINANCIAL, CONCEPTUAL AND MANAGEMENT STUDY OF THE HAMILTON WATERFRONT DEVELOPMENT

REQUEST FOR PROPOSALS

1. INTRODUCTION

The City of Hamilton wishes to develop a waterfront park in a segment of its waterfront in the southeast corner of Hamilton Harbour (Burlington Bay). A Master Plan for development was completed in 1985 by Coombes/Kirkland/Berridge and approved by City Council, and is now being developed by Berridge, Lewinberg, Greenberg. An application for exemption from full Environmental Assessment under Section 29 of the Environmental Assessment Act was turned down in March, 1987 and additional specific studies have been requested. The City has contracted B.A.R. Environmental to prepare a full environmental assessment report for the project to be submitted in late 1988 to the Minister of the Environment. The major sections of this report will entail examination of the impacts of the alternative uses of the property in terms of biophysical, noise, traffic and socio-economic implications. The latter information will be provided by the current request for proposal. The Province of Ontario has agreed to assist with financial support for the development contingent on approval of the Environmental Assessment and

satisfactory resolution of certain issues as outlined in this request for proposal. An Intergovernment Task Force on Hamilton Island has been set up to manage the contract relating to the socio-economic review.

B.A.R. Environmental is the coordinator responsible to the City of Hamilton for preparing the Environmental Assessment and administering the socio-economic/management study. Specific assignments are being subcontracted by B.A.R. Environmental to experts in specialized areas. A maximum of eight companies has been invited to prepare proposals for undertaking the assignment described below. The current request for proposals is designed to provide management and socio-economic information regarding the project to all levels of government and to produce a report that will be partially incorporated into the final Environmental Assessment document.

2. THE 1985 MASTER PLAN

It is proposed that an area of approximately 45 acres, owned by the City of Hamilton, will be developed into Hamilton Island and Pier 4 Park. The 1985 Master Plan is to be examined as on development alternative. It calls for an existing landfill site, the former Lax Property, to become Hamilton Island, 40 acres of manicured parkland, interesting walking trails, a "crystal

palace" for permanent exhibits, primarily of a horticultural nature, and annual shows (e.g. annual chrysanthemum show), a children's playground, a swimming lagoon, an IMAX theatre, an amphitheatre, and potentially other recreational activities. Adjoining private marina facilities will be upgraded and leased to an operator for regional sailing clubs and boat docking. Privately owned restaurants and boutiques will be encouraged at the entrance to the Island. Parking and access roads are proposed as shown to service the development.

Copies of the Master Plan and the Tourism Strategy Study for the Hamilton-Wentworth Region are enclosed.

3. THE ASSIGNMENT

The City of Hamilton has committed substantial funds to the total project budget of approximately $46 million. The City will remain the principal proponent of the project and will make the final management decisions. City Council adopted the present Master Plan in 1985 and has established a Waterfront Committee to manage implementation and review changes. Any major changes will require substantial justification. The Province of Ontario has pledged an additional $10 million conditional on the results of the socio-economic/management report and approval of the Environmental Assessment. It will be the task of the

consultant, in conjunction with the Intergovernment Task Force on Hamilton Island, to ensure that all the concerns of the Task Force are addressed.

The City will also be approaching the Federal government for funding assistance. The management consultants will be responsible for ensuring that their report contains the relevant socio-economic and management information to enable all levels of government to fully assess the options for the project and their implications. The major thrust of information required is summarized in the objectives and issues outlined below.

4. OBJECTIVES

4.1 To examine the benefits of waterfront redevelopment. The consultants should use their own experience where relevant in addition to examining other waterfront redevelopment projects. They need to look at maximizing the benefits to the City of Hamilton, Hamilton-Wentworth Region and the Province. This should include discussion of how the project will capitalize on benefits realized from previous public initiatives in Hamilton, such as the Copps Coliseum, the Convention Centre and Confederation Park. The implications and opportunity for diversification of Hamilton's economy should be discussed in light of the projected economic

impact of the project.

4.2 **To look at alternative ways of developing the Waterfront Park.** An examination of the objectives of all the parties concerned will define the viable range of alternatives. Alternatives range from do-nothing on the low scale, through groomed open space, the existing plan and on to more intensive park development. Discussion should include a feasibility analysis of facilities and activities mix to provide optimum use and optimum benefits.

4.3 **To discuss alternative management strategies for undertaking this project during both implementation and operating phases and recommend the preferred strategy.** There are several viable management structures for implementing the waterfront proposal. The consultant should identify the feasible options and discuss their implications for the City and the other funding sources. These identified options should be discussed with the project Task Force prior to the consultant making final recommendations. Any influence which the alternative recreational facilities might have on the management options should be examined. As City Council will make the final decision regarding the project management, enough detail should be presented regarding each alternative to allow the City to choose other than the recommended option. Some options which have been

discussed include: complete City control through a subcommittee, a specially created development corporation, a developer as manager.

4.4 To determine the feasible extent of private sector participation. The Province is encouraging the maximum use of private participation in the project. The consultant should examine other similar projects to determine what types of private/public participation work best. Both pitfalls and advantages of each form of private sector participation should be examined. The private sector may be involved in all aspects of the management, the capitalization and the operation of the facility.

4.5 To briefly review and comment on the process which led to the decision to develop the waterfront lands into a park. This and the following section will be critical to the Environmental Assessment report. The consultant should review the report prepared by the City describing the process that began when the Lax brothers applied for permission to develop the landfill site as an industrial park and that ultimately led to the decision to use the land as a waterfront park. This is to be a formal review of the alternatives to the undertaking, a process which was accomplished informally through the municipal political arena. The background report describing the municipal

process will be provided by the City of Hamilton.

4.6 To determine the socio-economic benefits and costs of the alternative development proposals in general and in more detail regarding the preferred alternative. This section of the report will also be applicable directly to the environmental assessment report. It should examine the implications of the identified alternative concepts (including the Master Plan) which emerge from the analysis envisaged in Section 4.2, for the neighbourhood, the City, the region and the Province. There should be an examination of employment impacts, impacts on the tax base, anticipated expenditures and revenues, implications for the adjacent North End neighbourhood, and anticipated numbers of visitors and timing of peak attendance. The latter information regarding attendance will provide important baseline data to other consultants preparing concurrent studies regarding the impacts of traffic and noise on the neighbourhood. The consultant should be aware of the concerns of local residents with respect to traffic, noise and general neighbourhood accessibility. The implications of recommended options on parking, traffic and noise should be detailed enough for traffic and noise experts to assess their impacts. This part of the study will be coordinated closely with the B.A.R. Environmental representative.

5. ISSUES

The study will focus on five major issues:

- Market Demand
- Economic and Financial Evaluation
- The Development Concept
- Implementation and Operation Management Structure
- Socio-economic Impacts on the North End Neighbourhood, the City and the Region

5.1 Market Demand

- What is the market size for a multi-use complex located on Hamilton Waterfront?
- How sensitive is market demand to different facility concepts and marketing programs?
- What are the critical conditions and unique features necessary for market success?
- What is the experience of other centres with similar facilities?

5.2 Economic and Financial Evaluation

Each of the alternatives (do-nothing, the existing plan and at least one concept for each of a more and a less intensively developed waterfront park) should be examined in light of:

- How can the investments and risks be made manageable within acceptable limits?
- What will the net capital costs and the net operating costs be?
- What is the timing of these costs?
- What are the total direct and indirect costs and benefits?
- Do these costs and benefits justify the scale of public investment?
- What is the level of confidence in the financial projections? Are there risks or costs that may surprise us?
- What is the potential for non-traditional revenue sources?
- Can public investment feasibly be reduced by private investment?
- Provide the decision-makers (governments and the public) with information on all the alternatives so they can make informed decisions.

5.3 Development Concepts

- Do the constraints of the location and site condition affect potential market demand (i.e. accessibility, accommodation, area, environmental, etc.)?
- Can potentially high capital and operating costs be

reduced (i.e. activities sharing facilities, use of existing buildings and structures, construction alternatives at lower costs) without compromising quality?

5.4 Management Structure

What is the best and most appropriate means of managing the project? What is the optimum means of operating the complex once completed? What are the options available?

5.5 Socio-Economic Impacts

- What are the socio-economic impacts of each alternative on the North End neighbourhood, City and Region?
- How can any negative impacts be mitigated and any positive impacts be enhanced?
- Do the benefits of the project justify the impacts?

6. APPROACH

The following is a suggested phasing for the study. It has been designed to allow sufficient opportunity for the Task Force to have input at critical junctures in the study process. Decisions will be made at each Task Force meeting which will guide the following phase of the study. Communication of key findings at

appropriate times is essential both within the study itself and with other related work going on at the same time (i.e. environmental assessment, traffic and noise studies).

Within each phase, each component of the multi-use complex must be analyzed separately to ascertain its costs and benefits. Then the inter-relationship among all components must be determined (product mix, compatibility). Analyses should be based as far as possible on actual operating experience of similar projects.

The phases suggested here may be altered in your proposal based on your experience:

PHASE I: INITIATION AND ORGANIZATION

Purpose: Meeting with Task Force to establish work plan, finalize detailed scope and objectives. Establish format, content and timing of reports and presentations. Consultant should submit proposed work study plan with study proposal.

PHASE II: DATA COLLECTION AND DEFINE RANGE OF ALTERNATIVES

Purpose: To collect and analyze data to test preliminary alternative design concepts. To determine which alternatives have sufficient merit to proceed to further evaluation.

If this conclusion is positive, an important output of this phase will be the design criteria for each type of facility proposed. This information will be critical to the traffic and noise studies. At the point in the study where the alternatives have been defined and have been discussed with the Task Force, the consultant should be prepared to participate in a public meeting(s) as part of the Environmental Assessment process. REsults of the traffic and noise studies will also be presented at this meeting. Those studies will take approximately 3 months to complete. Meanwhile the economic consultants can continue with full analysis of the alternatives.

Market Analysis Tasks

To establish demand for multi-use complex.

(1) Base data must be collected to establish the statistical market framework for the study.

- review of existing studies, key person interview data brought to study by consultant from previous, related studies.

(2) Access existing/historical attendance pattern at attractions/events within Hamilton area.

- collect and analyze economic and demographic data
- define primary, secondary and tertiary markets
- review attendance patterns and revenues of competing

facilities

(3) Development forecast of demand based on new facility concepts.

- forecast capture ratio of available demand
- forecast resulting attendance and revenues for each major component

(4) Determine facility demands.

- attendance and revenues by type
- establish number, type and origin by type of facility
- identify existing and potential competitive facilities re available rental space, attendance and revenues
- NB: determine demand not satisfied by current facilities available in Hamilton area

(5) Develop forecast "base case" demand for Hamilton area, assuming no new facilities

- review historical square footage rentals, attendance, revenue patterns
- estimate future square footage revenues

(6) Develop forecast based on multi-use complex concepts

- forecast capture ratio of square footage sales and attendance for a new facility
- forecast resulting revenue
- NB: all assumptions re points (3) to (6) to be clearly noted.

Financial Evaluation Tasks

(1) Review comparable facilities

- review existing data
- identify major design elements of comparable facilities
- establish capital costs and operating costs of comparable facilities
- examine experience of facilities which combine components of proposed multi-use complex

(2) Review cost/benefit impact of comparable facilities

- analyze capital costs to facilities provided
- review typical capital funding strategies
- examine typical funding of operating expense and debt service
- review project and operating management structures
- report on economic and social impacts of typical facilities on surrounding communities
- summarize lessons learned

Design Concept Development Tasks

Review activities/facilities mix options:

- establish options for Master Plan facilities and services
- establish transportation, access and site servicing systems to be maintained

PHASE III: PRELIMINARY FEASIBILITY

Purpose: To consolidate and document results of Phase II. To provide basis for Task Force decisions to proceed to a refinement of design concepts, and a detailed economic and financial evaluation.

Design Concept Development Tasks

(1) To establish design criteria for preferred option by:

- review market analysis on user needs
- review information on access factors for comparable facilities
- establish design criteria:
  - size/capacity of facility
  - urban design, relationships to other facilities, linkages to other areas
  - flexibility and variety of use
  - servicing required, parking, transportation
  - integration with existing facilities within community
  - construction and operating costs
  - image: very important

(2) To establish criteria for further evaluation

Financial Evaluation Tasks

Estimate socio-economic impacts (including employment) on Hamilton-Wentworth Region by:

- review of selected existing facilities most comparable to Hamilton-Wentworth market and site restraints
- estimate impact on Hamilton-Wentworth Region through market analysis and experience of comparable municipalities with similar facilities, including the potential impact of reducing attendance at other regional facilities.

Task Force Review

Task Force review of Phases II and III market analysis, design criteria, concept options, estimated cost/benefit impact, consider and confirm approach to detailed evaluation of recommended development alternative.

PHASE IV: EVALUATION

If the results of Phases II and III are positive, i.e. a multi-use complex appears to be feasible at the Lax site, then based on approval of the Task Force the study will proceed to Phase IV.

Purpose: To establish the economic and financial viability of the complex design options and to explore funding alternatives. To examine and recommend project implementation program including project and operating management.

Market Analysis Tasks

Finalize demand, capture ratio and revenue forecasts

- estimate anticipated use of each facility within complex, and attendance totals
- forecast direct operating revenues generated, e.g. rental income, concession revenue, royalties, parking fees, equipment rental, advertising space rentals
- NB: All assumptions to be clearly noted

Preliminary Design Concept Development Tasks

(1) Refine design concepts

- detail design concepts sufficiently to establish capital costs, i.e. site preparation, servicing, construction, architectural, engineering, legal and other costs
- develop preliminary construction and cost schedules
- develop materials for public presentations

(2) Finalize site servicing costs

- determine support services required, establish costs of installation and modification

Financial Evaluation Tasks

(1) Estimate operating costs - marketing, contract service, insurance, utilities, repairs and maintenance,

administration

(2) Develop pro-forma analysis

- forecast cash flow, profit/loss and balance sheets
- establish operating profit/deficit forecast
- establish critical sensitivity assumptions to cash flow forecast for each major attraction component

(3) Research private sector funding

- determine potential revenue generators which could attract private investment
- examine experience of securing private capital for comparable facilities

(4) Establish capital funding alternatives

- establish financing strategies of comparable facilities
- develop funding matrix identifying possible capital funds available, funding conditions:

  i.e.
  - federal government
  - provincial government
  - municipal governments
  - private industry
  - foundations (N.B.)
  - commercial leases/rents

- identify any innovative funding approaches, concepts

7. MEETINGS AND REPORTS

The consultants are to report to the Intergovernment Task Force on Hamilton Island (the Task Force) comprised of municipal, regional, provincial and federal representatives, City staff, and a local business representative (see attached List of Members). The original project master planner (Berridge, Lewinberg, Greenberg) and B.A.R. Environmental will act as consultants to the Task Force and the economic consultants (see Figure 1).

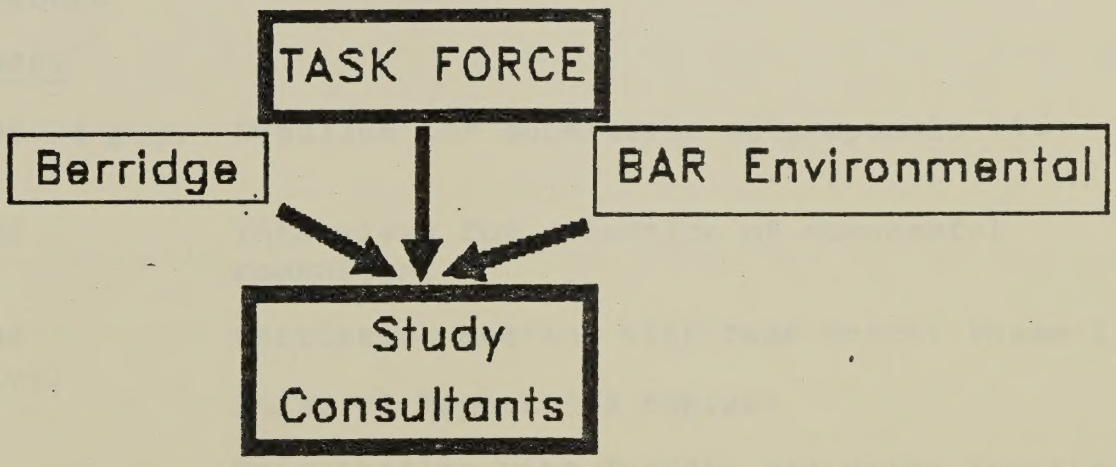
There will be an initial half day orientation meeting (proposed for March 3) and subsequent meetings at which the consultant will present interim reports outlining the results of each phase, and direction for the following phase will be set.

The Phase II and Final reports must contain an executive summary which presents the key information regarding the short list of alternatives and their impacts, costs and benefits. This may be reproduced (by the City) for broad distribution to both public and government groups.

All Task Force members and Berridge Lewinberg Greenberg and B.A.R. Environmental staff can be called upon to assist the consultant in obtaining information relevant to their departments. The consultant may also be asked to attend meetings of other City committees to present and discuss their final

Figure 1. Organizational Chart

Economic/Management Study



report. All meetings will be held in Hamilton.

8. SCHEDULE

Date (1988)

Feb.29/88: 4 p.m.	Deadline for submission of proposals (15 copies)
Mar. 2/88	Interviews for selection of successful consultant
Mar. 3/88 (tentative)	Initiation meeting with Task Force: Phase I
	Phase II Report (15 copies)
	Consultation with Traffic and Noise experts
	Phase III Report (15 copies)
	Public Meeting
	Phase IV Report (15 copies)
	Final Report (15 copies)
No later than Oct. 1/88	Revised Final Report submitted (50 copies)

9. SCOPE

The report submitted by the consultants is expected to be comprehensive and detailed. Our budget has therefore been set at an upper limit of $150,000, to include all fees and disbursements. Invoices can be submitted at the end of each Phase, based on time and expenses actually incurred, to within 20% of the limit of the contract. The final 20% will be paid

upon submission of the Final Report.

10. THE PROPOSAL

Fifteen copies of the proposal must be delivered to the City of Hamilton Community Development Department by 4.00 p.m. on February 29, 1988. The proposal should contain a detailed workplan, including a proposed meeting schedule, and associated manpower and costs broken down separately by tasks within each of the Phases outlined in Section 6. We want to be able to evaluate how much time key staff are spending on each task. Key personnel and their relevant experience should be identified. Costs of disbursements should be outlined. The consultants should demonstrate their understanding of the nature of the assignment. Suggestions for increasing the usefulness of the study would be welcome. However, where these affect the cost of the proposal, the costs should be estimated separately.

10.1 Conditions of Proposal

(1) No payment will be made to consultants for the preparation and submission of proposals.

(2) Provision of the above information does not constitute a real or implied commitment, but is intended to obtain the necessary information to enable the clients to choose a

consultant to proceed with the study.

11. SELECTION CRITERIA

The following criteria will be used in selection of the successful consultant.

(1) Cost: must not be more than $150,000. The lowest bid will not necessarily be chosen; however, where other factors are equal, the lower bid will be selected.

(2) Qualifications of the firm and the key personnel and their relevant experience. A description of similar projects undertaken would be useful. The time that key staff are allocated to critical tasks will be taken into consideration.

(3) Understanding of the assignment.

(4) Suggested workplan to achieve the stated objectives.

(5) Ability to complete the project on schedule.

(6) Absence of conflict of interest.

(7) An interview with up to five consultants on March 2 in Hamilton (to be arranged March 1st, 3 p.m.).

INTERGOVERNMENTAL TASK FORCE OF HAMILTON ISLAND

Mr. Lou Sage, (Chairman)
Chief Administrative Officer
City of Hamilton,
71 Main Street West,
Hamilton, Ontario L8N 3T4
(416) 526-4535

E.W. Kowalski, Director,
Community Development Department
City of Hamilton,
71 Main Street West,
Hamilton, Ontario L8N 3T4
(416) 526-2755

Mr. Jim Thoms, Planning Commissioner,
Planning & Development Department
119 King Street West,
Hamilton, Ontario L8N 3V9
(416) 526-4101

Ben Vanderbrug, General Manager,
Hamilton Region Conservation Authority,
Box 7099,
Ancaster, Ontario L9C 3L3
(416) 525-2161

Mr. Robert Hennessey, Port Director, (Tentative)
Hamilton Harbour Commissioners
605 James Street N.,
Hamilton, Ontario L8L 1J9
(416) 525-4330

Reg Whynott, Executive Director,
Hamilton Chamber of Commerce,
100 Main Street West,
Hamilton, Ontario L8P 1A2
(416) 522-1151

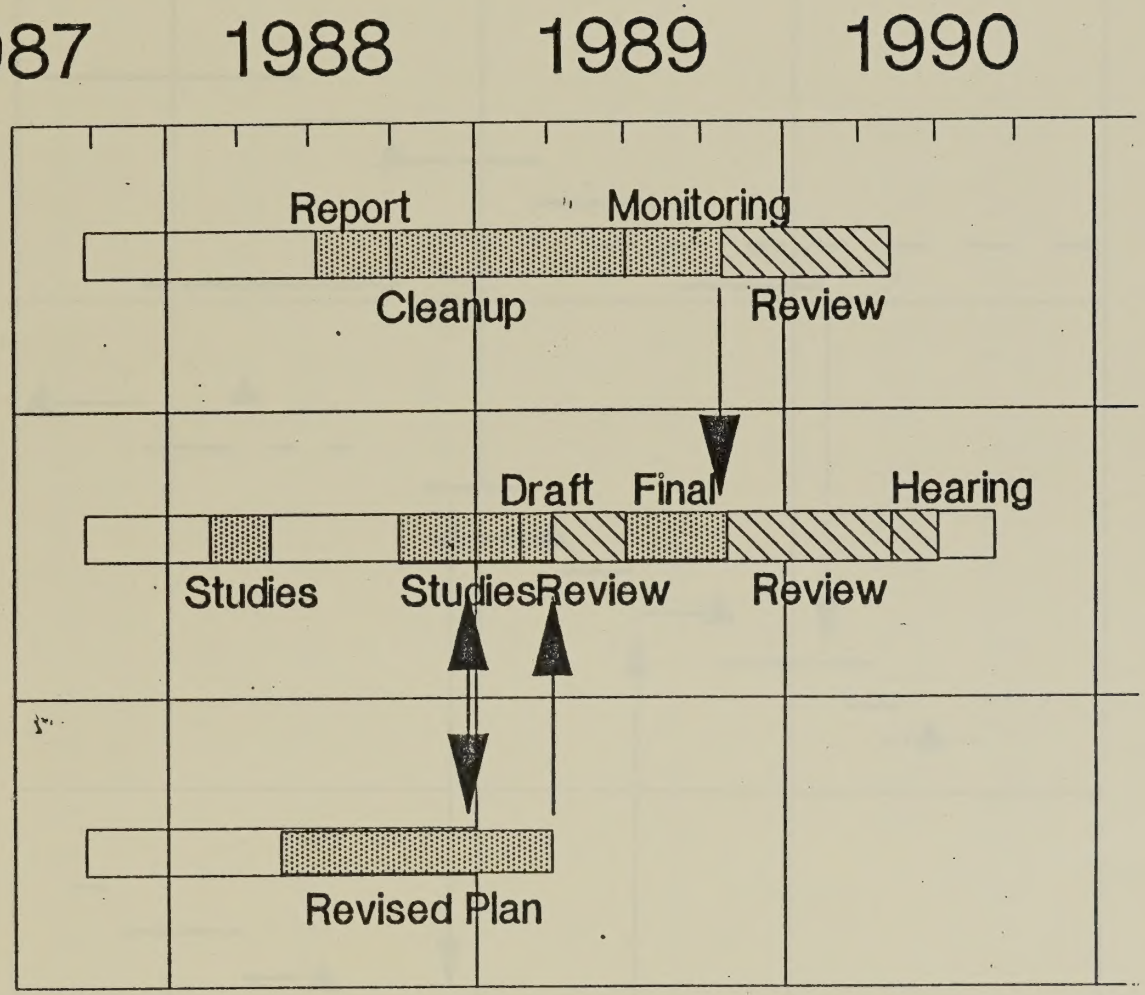
Mr. Jack Hall, Director,
Small Craft Harbours Branch,
Department of Fisheries & Oceans,
P.O. Box 5050,
867 Lakeshore Rd.,
Burlington, Ont. L7R 4A6
(416) 336-6022

Mr. Dave Bingham,
Ministry of Tourism & Recreation,
15 Church St., Suite 404,
St. Catharines, Ont. L2R 3B5
(416) 684-2345

Nigel Wood, Att: K. Roulet
Ministry of the Environment,
135 St.Clair Ave.West, 7th Floor,
Toronto, Ontario M4V 1P5
(416) 323-4553

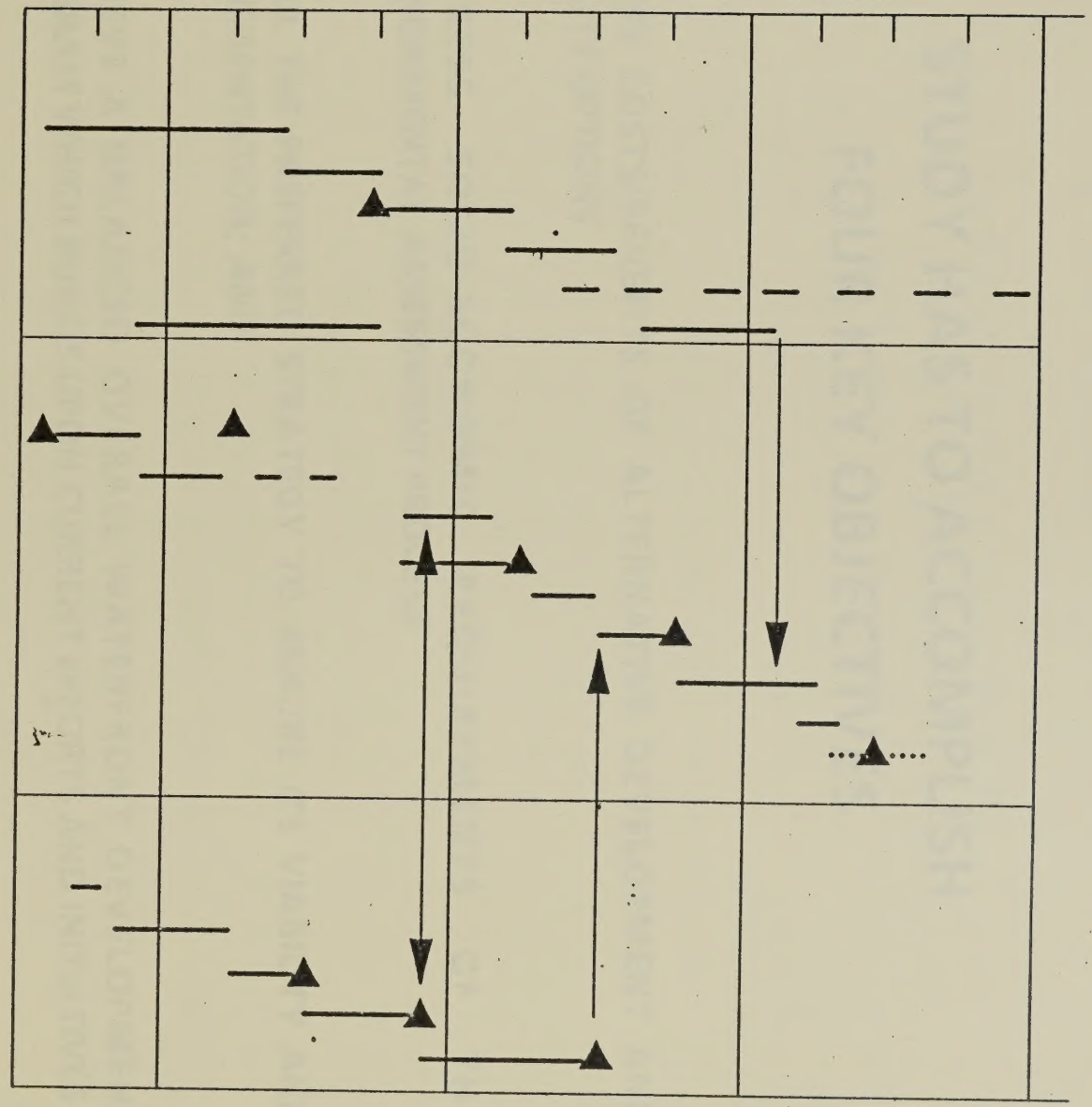
Mr. Wayne St.John, Director,
Tourism Branch,
Department of Regional
Industrial Expansion,
Dominion Public Bldg. 4th Floor,
1 Front St.West,
Toronto, Ont. M5J 1A4
(416) 973-5074
Att: Diane Valic

HAMILTON WATERFRONT DEVELOPMENT
SUMMARY SCHEDULE



BAR Environmental June 1988

HAMILTON WATERFRONT DEVELOPMENT



WASTE CLEAN UP

- CONTRACT
- CLEAN UP REPORT
- APPROVAL & TENDERS & CONTRACTS
- CLEAN UP
- MONITORING
- SECTION 45

ENVIRON. ASSESSMENT

- CONTRACT
- BIOPHYSICAL
- TRAFFIC & NOISE
- DRAFT E.A. REPORT
- GOVT. REVIEW
- FINAL E.A. REPORT
- GOVT. REVIEW
- PUBLIC REVIEW
- PUBLIC HEARING

ECONOMIC STUDY

- $10 M ANNOUNCED
- TERMS OF REFERENCE & CONTRACT
- REVISED PLAN
- PREFERRED ALTERNATIVE
- FINAL REPORT

STUDY HAS TO ACCOMPLISH FOUR KEY OBJECTIVES

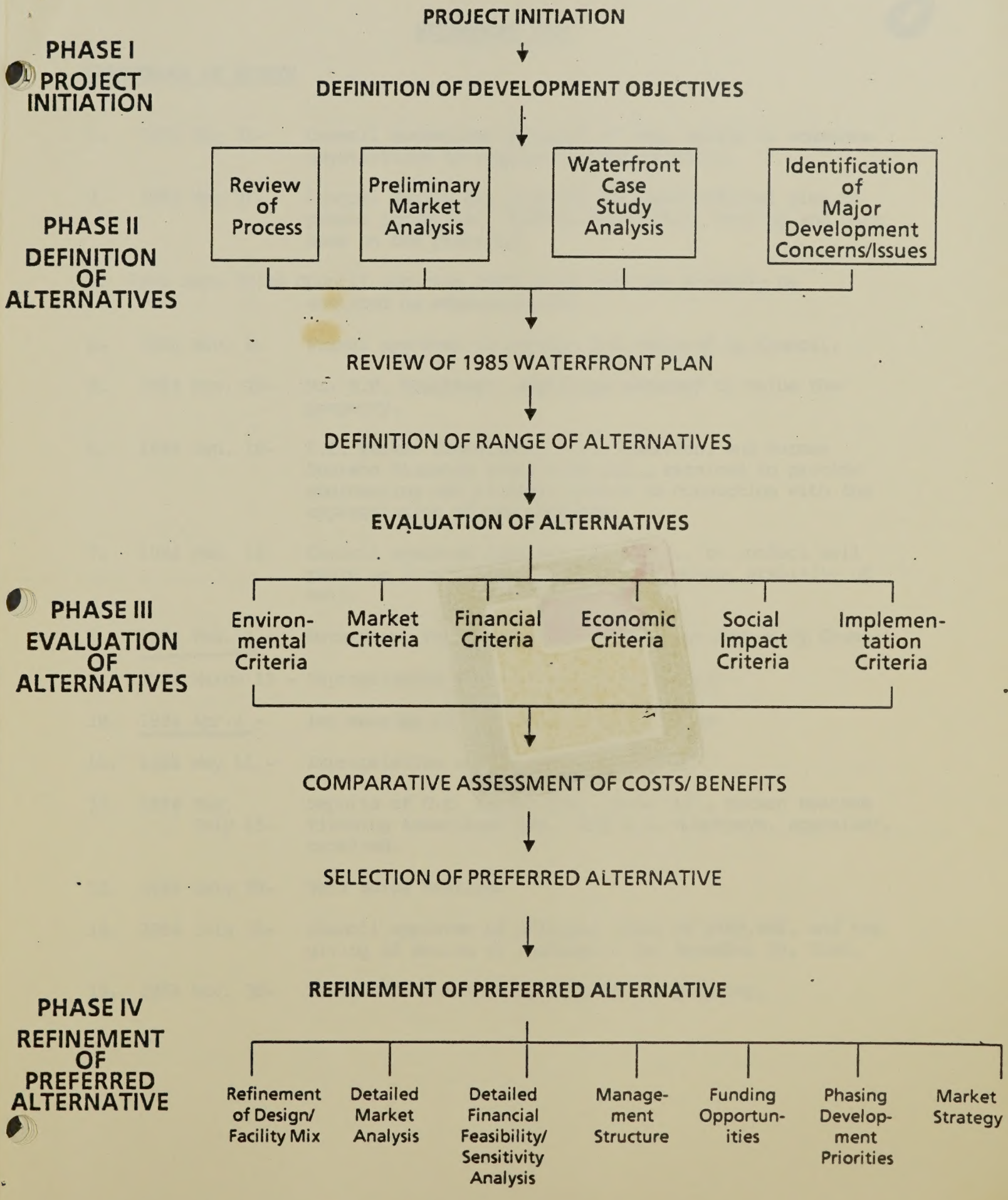
- ASSESS COSTS/BENEFITS OF ALTERNATIVE DEVELOPMENT AND FACILITY OPTIONS

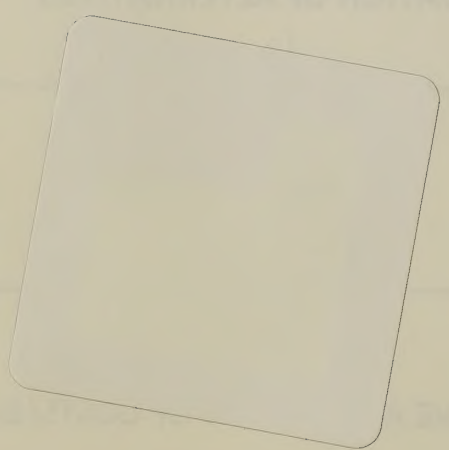
- ADDRESS SOCIO-ECONOMIC REQUIREMENTS OF THE ENVIRONMENTAL ASSESSMENT PROCESS

- DETAIL THE PREFERRED STRATEGY TO ENSURE ITS VIABILITY AND IMPLEMENTATION; AND

- ACHIEVE A BALANCED OVERALL WATERFRONT DEVELOPMENT PROGRAM WHICH BUILDS UPON CURRENT EFFORTS AND INITIATIVES

STUDY PROCESS





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WATERFRONT PARK

CHRONOLOGY OF EVENTS

1. 1983 May 31- Council authorizes Director of Real Estate to commence negotiations to acquire the Lax property.

2. 1983 May 31- Council denies Lax proposal to amend official plan to permit industrial, limited commercial, boating and park uses on the property.

3. 1983 Sept 27,28 Council approves resolution that Lax property be acquired by expropriation.

4. 1983 Nov. 8- Formal approval to expropriate received by Council.

5. 1983 Nov. 22- Mr. B.B. Humphreys, Appraiser retained to value the property.

6. 1984 Jan. 10- C.C. Parker Consultants Ltd., Hamilton, and Norman Pearson Planning Associated Ltd., retained to provide engineering and planning advice in connection with the expropriation of the property.

7. 1984 Feb. 14- Council approves retaining Trow Ltd., to conduct soil tests on property to determine structural stability of soil.

8. 1984 Feb.14 - Waterfront Park Advisory Sub-Committee formed by Council

9. 1984 March 13 - Expropriation By-Law approved by Council

10. 1984 Apr.4 - 1st meeting of Waterfront Sub-Committee

11. 1984 May 11 - Expropriation registered

12. 1984 May, July 15- Reports of C.C. Parker Ltd., Trow Ltd., Norman Pearson Planning Associated Ltd., and B.B. Humphreys, Appraiser, received.

13. 1984 July 28- Tall Ships Festival

14. 1984 July 31- Council approves of official offer of $900,000, and the giving of Notice of Possession for November 30, 1984.

15. 1984 Nov. 30- Possession obtained by City of Lax property.

16. 1985 Oct. 19- Report on use of Pier 4 by N.V. Macassa Bay (Ernie Kablau).

17. 1984 Nov.13- City requests M.O.E. to test soil on Lax property due to visible lack of vegetation.

18. 1985 Apr.29- Commence clean-up of waterfront (Pier 4) review alternatives for waterfront use at Waterfront Park Committee

19. 1985 May 16- M.O.E. report received listing contaminants on surface

20. 1985 May 30 - Regional Labs authorized to carry out further tests.

21 1985 June 10- Request to M.O.E. to determine if any funds available.

22. 1985 May/June- Police investigation of fill dumping

23. 1985 June 20- Test drill holes complete for Regional Lab.

24. 1985 July 17 - Review of three alternatives in detail by Waterfront Park Sub-Committee

25. 1985 Aug. 24- Waterfront Festival

26. 1985 Sept.4 - Sub-Committee recommends final plan to Council

27. 1985 Oct.29 - Council approves Waterfront Master Plan and preparation of request for exemption from Environmental Assessment Act.

28. 1985 Oct.31 - Review analysis of soil samples taken in June test holes, prepared by Regional Labs.

29. 1985 Dec.10 - Booth Aquatic Research (B.A.R.) commissioned to prepare management plan for contaminated fill.

30. 1986 Feb. 25- Booth Aquatic (B.A.R.) commissioned to prepare application for Exemption from Environmental Assessment Act.

31. 1986 Mar. - M.O.E. Approves "Environmental Management of Industrial Wastes on former Lax property" by Booth Aquatic Research (B.A.R.)

32. 1986 Apr.11 - Waterfront Sub-Committee approves "Environmental Management of Industrial Wastes on former Lax property" by Booth Aquatic Research (B.A.R.).

33. 1986 Apr.21 - City requests M.O.E. to provide any information on quantities of contamination.

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Bay park inventory

Don't lose the vision

The last thing Hamilton needs is to have its proposed waterfront park at the foot of the Bay Street turn into another Gore Park fiasco. Although that's highly unlikely, the fear was undoubtedly on the minds of some people who watched a seemingly uncertain city council discuss the project on Tuesday.

Almost five years have elapsed since council decided to buy the former Lax landfill site for a much-needed waterfront park. After a promising start, however, the park project is surrounded by more questions than answers and many city councillors don't seem to be as knowledgeable about what's happening with the plan as they should.

The cost of the project has escalated from an original $30 million to $46 million, the extent of contaminated waste on the site still has to be determined, and an environmental assessment review has to be completed among other things.

The compatibility of the park with the Perimeter Road is open to question should regional council decide to build the road on a least expensive north side route that would take it uncomfortably close to the park.

Alderman Paul Cowell, worried about the costs of the park, said he would like more emphasis on private sector participation to share in the expense. Private development, in turn, would mean more intensive use of the site and that would pose even more questions as to the impact of the park on the North End.

Project is too important to be treading water

The project has certainly lost some momentum since the province ordered the environmental assessment. Although the assessment process will be invaluable in resolving some of the issues, it isn't expected to be completed until late fall.

The province, for its part, has tied the $10 million it has pledged for the park to the completion of the assessment and an economic feasibility study.

It's clearly time for a progress report on the state of the project, which is too important to be treading water. City council needs to be reassured that everything possible is being done to keep the project on the rails, and to be kept informed of problems at every step of the way.

So far, there isn't any indication that any of the real or potential problems are enough to scuttle the park. The original inspiration for the park — the need to provide more public access and recreational and tourism opportunities on much-criticized Hamilton Harbor, is as valid today as it was five years ago.

Hamilton has a dismal record in making use of its waterfront in comparison to many other municipalities who have managed to create successful parks on the water despite formidable impediments such as heavy industry, unsightly rail yards, and nearby roads. It takes imagination, and effort.

Considerable public participation went into the planning for the Hamilton Island park — with attractions such as a Crystal Palace for flower displays, an amphitheatre with a floating stage and a boardwalk from the park to Dundurn Castle. Not only would the city's self-esteem be dealt a major blow if the park doesn't proceed, the loss would be felt in many other ways.

One alternative to the park, it should be remembered, could be what environmentalist Mark Sproule-Jones has described as "a permanently fenced 40-acre dump of hazardous waste." That's why it's important city council, in resolving the unanswered questions, doesn't lose the vision either.

88 APRIL 15

Cowell calls for waterfront park review

By BETH MARLIN
The Spectator

ESCALATING COSTS have prompted a Hamilton alderman to call for a review of the Hamilton waterfront park project with more emphasis on private sector involvement.

Ward 6 Alderman Paul Cowell told council last night it's been almost five years since the property at the foot of Bay Street was purchased for the project. "We started out with a $30-million project. Now, it's $48 million," he said, calling the waterfront park "the most expensive undertaking that this council has ever had.

"In its present form, we can't afford this project. It's going to get out of hand."

Council referred Mr. Cowell's motion for a review "with a view to allowing more participation by the private sector" to the parks and recreation committee, which oversees the waterfront parks subcommittee.

Alderman Pat Valeriano also expressed concerns about the inflationary increase, but said he hoped Mr. Cowell's motion does not delay the project further.

Mr. Cowell said he is not trying to scuttle the project, but to ensure all questions are answered, including those that will influence whether Hamilton receives $10 million in provincial assistance.

"There are many questions that even the province is asking before it kicks in $10 million," he said, adding the province will first do a $200,000 study of the proposal.

"The provincial government is encouraging maximum private participation."

Mr. Cowell told council he has questions about the project's socio-economic impact on the north end, market demand, the feasibility of private sector involvement and the development concept.

Alderman Geraldine Copps, chairman of the subcommittee, said its meetings are open to the public and council.

"I often get the feeling, not that people want to scuttle the project, but they don't want it to cost us anything," said Mrs. Copps.

"I have a very strong feeling that the baby is not as important to the family as I thought it was," she said, noting there is no longer an architect or project manager directly involved.

Mayor Bob Morrow told council he was meeting with federal officials in Ottawa April 27 to ask for funding for the project. He said the park had undergone more public input than any other council project.

"Hamilton just can't be left behind on this one," Mr. Morrow said, noting several port projects in Canada have been fully paid for by the federal government.

Paul Cowell: private sector

THE SPECTATOR, WEDNESDAY, JUNE 8, 1988

Copps sees planners' talk about waterfront park options as insult

By BETH MARLIN
The Spectator

THE CHAIRMAN has threatened to disband the waterfront parks subcommittee, saying its carefully thought out recommendations have not been given proper consideration by consultants.

"I'm going to propose that the waterfront parks subcommittee be disbanded," said Alderman Gerry Copps after a special meeting of the parks and recreation committee yesterday. "We've been told you don't know anything. What is there left for the waterfront parks subcommittee to do?"

Mrs. Copps was angry that a consultant hired by the city had suggested other options might draw larger crowds than creating a Hamilton Island with a Crystal Palace for flower displays, an amphitheatre with a floating stage and an artificial lake for swimming as recommended by her subcommittee.

"I don't know how long the Crystal Palace (subcommittee) has been meeting. To sit here and be told the 1985 plan might work - I think it's an insult," said Mrs. Copps, who also sits on the Crystal Palace subcommittee.

"This has been a complete insult to this council and this committee," she said.

Lynn Harrison, a strategic marketing planner from Marshall, Macklin, Monaghan, a consulting firm studying the economic impacts of the proposed harbor clean-up, said the city should consider other attractions.

"We're not saying that there's anything wrong with the plan. We have to find something that draws that number of people," she said.

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